

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 3, 2008

DIVISION ONE

B205381 Los Angeles County, D.C F.S. (Not for Publication)
v.
D.S. et al.

The order terminating parental rights is reversed subject to the following conditions: The matter is remanded to the juvenile court with directions to order DCFS to comply with the notice provisions of the ICWA. If, after proper notice, a tribe claims B.M. is an Indian child, the juvenile court shall proceed in conformity with the provisions of the ICWA. If, alternatively, no tribe claims B.M. is an Indian child, the judgment terminating parental rights shall be reinstated.

Rothschild, J.

We concur: Mallano, P.J.
 Hastings, J. (Assigned)

DIVISION TWO

B205199 In re J.G. Jr., et al.
DCFS (Not for Publication)
v.
Elaine A.

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

B205389 People (Not for Publication)

V.

Mallett

The Court:

The judgment is affirmed.

Boren, P.J., Ashmann-Gerst, J., Chavez, J.

B203264 People (Not for Publication)

V.

Hernandez

The judgment is modified to reflect that defendant is entitled to 1,425 days of presentence credit and is otherwise affirmed. On remand, the trial court is directed to correct the abstract of judgment to reflect the correct number of days of presentence credit.

Chavez, J.

We concur: Boren, P.J.
 Doi Todd, J.

B205420 Los Angeles County, D.C.F.S. (Not for Publication)

V.

O.L.

The orders are affirmed.

Chavez, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION TWO (continued)

B204412 Los Angeles County, D.C F.S. (Not for Publication)
v.
Darryl D.

The orders of October 23, 2007, are affirmed. The matter is remanded for the juvenile court to determine whether the ICWA notice requirements were met. If not, proper notice shall be given. If a tribe indicates that the minor is an Indian child, then this matter must proceed under ICWA and minor or any parent may petition the juvenile court to invalidate its prior orders.

Ashmann-Gerst, J.

We concur: Boren, P.J.
Doi Todd, J.

B199570 People
v.
Salazar

Filed order modifying opinion. (No change in the judgment)

DIVISION THREE

B204308 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 M.C., et al.

The order terminating the parents' parental rights is reversed and the cause is remanded for further proceedings, consistent with the views expressed herein, for the sole purpose of ensuring compliance with the ICWA. If, after proper inquiries and notices are made, a tribe claims that M.C. is an Indian child, the dependency court shall proceed in this case in conformance with the provisions of the ICWA. If determinative responses from the tribes are not received within the statutory time period and no tribe parents' parental rights shall be reinstated.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B198550 Moore
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

Filed order vacating submission. Submission of this matter is hereby vacated in order to allow for additional briefing by amici curiae. The matter will be resubmitted following the completion of supplemental briefing, including responses by the parties to the amici briefs..

October 3, 2008 (Continued)

DIVISION FOUR

B204841 People (Not for Publication)
v.
Main

The judgments are affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

[illegible]

We direct the trial court to modify the abstract of judgment to impose upon appellant a total of seven \$20 fees (for a total of \$140) under section 1465.8. As modified, the judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Manella, J.

DIVISION FIVE

B204574 People (Not for Publication)
v.
Brandon Rippepoe

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

October 3, 2008 (Continued)

DIVISION FIVE (continued)

B200409 People (Not for Publication)
v.
Anthony Edwards

The judgment of conviction is affirmed. The abstract of judgment is ordered modified to reflect a total of \$60 in court security fees pursuant to section 1465.8, subdivision (a) (1). We remand to the trial court to impose or strike the section 667.5, subdivision (b) sentence enhancements as to case numbers A027546 and NA005925.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

DIVISION SIX

B201185 Masry
v.
Masry et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J. and Eva McClintock, deputy clerk.

Each of the following:

B195344 People v. Santana et al.
B195676 People v. Delgado
B200500 People v. Padilla

DIVISION SEVEN (continued)

B199925 People v. Montez
B200633 People v. Soto
B202383 People v. Keith
B202933 People v. Chavez

Argument waived, cause submitted.

B198876 People
 v.
 Hall

Merits:

Argued by Sunnie Daniels for appellant and by Ryan Smith, deputy attorney general, for respondent. Cause submitted.

B197581 People
 v.
 Quezada

Merits:

Argued by Dan Mrotek for appellant and by Stephanie Miyoshi, deputy attorney general, for respondent. Cause submitted.

Court recessed.

Court reconvened at 9:59 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J. and Eva McClintock, deputy clerk.

Each of the following:

B201517 Mt. Holyoke Homes v. California Coastal Commission et al.
B206037 DCFS v. Elizabeth S.
B206295 DCFS v. Timothy T.

Argument waived, cause submitted.

DIVISION SEVEN (continued)

B204869 Miller
 v.
 City of Los Angeles

Merits:
Argued by David Cwiklo for appellant and by Cecil Marr for respondent.
Cause submitted.

Court adjourned.

DIVISION EIGHT

B205203 In re E.C
 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 L.C.

The order appealed from is affirmed.

Flier, J.

We concur: Cooper, P.J.
 Rubin, J.

B200995 Lauryn S. Burnett (Not for Publication)
 v.
 Gerardo Reyes et al.

The judgment is affirmed. The order vacating the judgment entered on April 3, 2007, is affirmed. Respondents are to recover their costs on appeal.

Flier, J.

We concur: Cooper, P.J.
 Rubin, J.